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6 Attorneys for federal Defendants

7  
8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10  
11 RONG FAN,

12 Plaintiff,

13 v.

14 U.S. CITIZENSHIP AND IMMIGRATION  
SERVICES, ET AL.,

15 Defendants.  
16

CASE NO. 2:21-CV-01018-WBS-AC

STIPULATION AND ORDER FOR THIRD  
EXTENSION OF TIME

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18 The United States respectfully requests an additional 90-day extension of time in which to  
19 respond to the Complaint, and counsel for plaintiff does not oppose.

20 This case concerns Plaintiff's EB-5 investor visa petition, which had been delayed because  
21 Congressional authorization lapsed for the EB-5 regional center program. On March 15, 2022, the EB-5  
22 regional center program was reauthorized, thereby allowing U.S. Citizenship and Immigration Services  
23 to resume processing EB-5 petitions. On April 19, 2022, USCIS issued a request for evidence to  
24 Plaintiff. Once USCIS receives Plaintiff's response, it anticipates it will be able to promptly  
25 adjudicate Plaintiff's petition, thereby mooting this case.

26 The parties therefore stipulate that the new date for the defendants to file an answer or other  
27 dispositive pleading is August 15, 2022. The parties further request that all other filing deadlines be  
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1 similarly extended, and that the currently scheduled scheduling conference, set for July 5, 2022, be  
2 vacated and reset.

3  
4 Respectfully submitted,

5 Dated: May 11, 2022

PHILLIP A. TALBERT  
United States Attorney

7 By: /s/ ELLIOT C. WONG  
8 ELLIOT C. WONG  
Assistant United States Attorney


10 /s/ MICHAEL CHEN  
11 MICHAEL CHEN  
Counsel for Plaintiff

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13  
14 ORDER

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16 **IT IS SO ORDERED:**

17 The new date for the defendants to file an answer or other dispositive pleading is August  
18 15, 2022. The Scheduling Conference is reset for **October 24, 2022 at 1:30 p.m.** A joint status report  
19 shall be filed no later than **October 11, 2022.**

20 Dated: May 12, 2022

21   
22 WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE